

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

ELVIS DIAZ REYES

DEBTOR

CASE NO. 15-04784-MCF

CHAPTER 13

**NOTICE OF FILING OF AMENDED CHAPTER 13 PLAN  
AND CERTIFICATE OF SERVICE**

**TO THE HONORABLE COURT:**

**NOW COMES, ELVIS DIAZ REYES**, debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays:

1. The debtor is hereby submitting a proposed amended Plan, dated September 17, 2015, herewith and attached to this motion.
2. This proposed amended Plan is filed to cure the “insufficiently funded” issue raised by the Trustee in his unfavorable recommendation, docket #15.

**WHEREFORE** debtor respectfully requests the confirmation of the requested amended Plan, dated September 17, 2015.

**I CERTIFY** that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants: debtor and to all creditors and interested parties appearing in the master address list, hereby attached.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 17<sup>th</sup> day of September, 2015.

*/s/ Roberto Figueroa Carrasquillo*  
ROBERTO FIGUEROA CARRASQUILLO  
USDC #203614  
ATTORNEY FOR PETITIONER  
PO BOX 186 CAGUAS PR 00726  
TEL. NO. (787) 744-7699

United States Bankruptcy Court  
District of Puerto Rico

IN RE:

Case No. 3:15-bk-4784

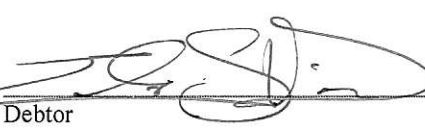
DIAZ REYES, ELVIS

Chapter 13

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____		<input checked="" type="checkbox"/> AMENDED PLAN DATED: <u>9/17/2015</u>	
<input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION		Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
<b>I. PAYMENT PLAN SCHEDULE</b>		<b>II. DISBURSEMENT SCHEDULE</b>	
$\$ 250.00 \times 2 = \$ 500.00$		A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____	
$\$ 300.00 \times 10 = \$ 3,000.00$		B. SECURED CLAIMS:	
$\$ 407.00 \times 48 = \$ 19,536.00$		<input type="checkbox"/> Debtor represents no secured claims.	
$\$ \times = \$$		<input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows:	
$\$ \times = \$$		1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS:	
TOTAL: \$ <u>23,036.00</u>		Cr. <u>Banco Popular De P</u> Cr. _____ Cr. _____	
Additional Payments:		# <u>Claim 5-1</u> # _____ # _____	
\$ _____ to be paid as a LUMP SUM		\$ <u>8,174.66</u> \$ _____ \$ _____	
within _____ with proceeds to come from:		2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims:	
<input type="checkbox"/> Sale of Property identified as follows:		Cr. <u>Crim</u> Cr. _____ Cr. _____	
_____		# <u>1168140</u> # _____ # _____	
<input type="checkbox"/> Other:		\$ <u>5,125.59</u> \$ _____ \$ _____	
_____		3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL:	
Periodic Payments to be made other than, and in addition to the above:		Cr. _____ Cr. _____ Cr. _____	
\$ _____ x _____ = \$ _____		# _____ # _____ # _____	
PROPOSED BASE: \$ <u>23,036.00</u>		\$ _____ \$ _____ \$ _____	
<b>III. ATTORNEY'S FEES</b>		4. <input checked="" type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder:	
(Treated as § 507 Priorities)		<u>Oriental Bank And T</u>	
Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,868.00</u>		5. <input type="checkbox"/> Other:	
Signed: 		6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to:	
Debtor		<u>Banco Popular De P</u>	
Joint Debtor		C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.	
		11 U.S.C. § 507 and § 1322(a)(2)	
		D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims.	
		1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____	
		<input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____	
		Cr. _____ Cr. _____ Cr. _____	
		# _____ # _____ # _____	
		\$ _____ \$ _____ \$ _____	
		2. Unsecured Claims otherwise receive PRO-RATA disbursements.	
		OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)	
		* "Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s) shall seek court's authorization prior any use of funds."	
		ASUME: child support arrears (\$3,868.00.) will be paid through the Trustee. Debtor to continue making current direct post-petition payments to ASUME.	

Attorney for Debtor R. Figueroa Carrasquillo Law Office

Phone: (787) 744-7699

IN RE DIAZ REYES, ELVIS

Debtor(s)

Case No. 3:15-bk-4784

AMENDED CHAPTER 13 PAYMENT PLAN  
Continuation Sheet - Page 1 of 1

	Cr	#	\$
Executory Contracts - Assumed:	Felix J Romero Fonta		



Label Matrix for local noticing  
0104-3  
Case 15-04784-MCF13  
District of Puerto Rico  
Old San Juan  
Thu Sep 17 15:44:01 AST 2015

BANCO POPULAR DE PUERTO RICO  
C/O SERGIO A. RAMIREZ DE ARELLANO LAW OF  
BANCO POPULAR CENTER, SUITE 1022  
209 MUNOZ RIVERA AVE.  
SAN JUAN, PR 00918-1000

BANCO SANTANDER DE PR  
PO BOX 362589  
SAN JUAN, PR 00936-2589

(p)ORIENTAL BANK AND TRUST  
PO BOX 195115  
SAN JUAN PR 00919-5115

US Bankruptcy Court District of P.R.  
Jose V Toledo Fed Bldg & US Courthouse  
300 Recinto Sur Street, Room 109  
San Juan, PR 00901-1964

ASUME  
PO Box 11218  
San Juan, PR 00910-2318

BANCO POPULAR DE PUERTO RICO  
PO BOX 362708  
SAN JUAN, PR 00936-2708

BANCO SANTANDER PUERTO RICO  
QUIEBRAS  
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SAN JUAN PR 00936-2589

Banco Popular De Puerto Rico  
PO Box 2708  
San Juan, PR 00936

Banco Santander Puerto Rico  
8875 Aero Dr  
San Diego, CA 92123-2251

Bufete Juan H Soto Sola  
Civil Num: ECD2015-0585  
420 Ave Ponce De Leon Ste 705  
San Juan, PR 00918-3407

Citibank N.a.  
8875 Aero Dr  
San Diego, CA 92123-2251

Crim  
PO Box 195387  
San Juan, PR 00919-5387

Depto De Transportacion Y Obras Publicas  
PO Box 41269  
San Juan, PR 00940-1269

Dish Network  
4500 Salisbury Rd Ste 10  
Jacksonville, FL 32216-0959

Felix J Romero Fontanez  
Urb Lomas Del Sol 150 Orion St  
Gurabo, PR 00778

Ge Capital Retail Bank  
8875 Aero Dr  
San Diego, CA 92123-2251

Midland Credit Management, Inc as agent for  
Midland Funding LLC  
PO Box 2011  
Warren, MI 48090-2011

Midland Funding  
8875 Aero Dr  
San Diego, CA 92123-2255

ORIENTAL BANK  
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SAN JUAN PR. 00919-5115

Oriental Bank And Trus  
PO Box 4745  
San Juan, PR 00936

Preferred Home Services Inc  
PO Box 4069  
Bayamon, PR 00958-1069

Sears/cbna  
PO Box 6282  
Sioux Falls, SD 57117-6282

Stellar Recovery Inc  
4500 Salisbury Rd Ste 10  
Jacksonville, FL 32216-8035

Synch/Pep Boys  
PO Box 965036  
Orlando, FL 32896-5036

T-mobile  
12920 Se 38th Stre  
Bellevue, WA 98006-7305

Td Rcs/Advance Auto  
1000 Macarthur Blvd  
Mahwah, NJ 07430-2035

ELVIS DIAZ REYES  
HC 1 BOX 5574  
GURABO, PR 00778-9526

JOSE RAMON CARRION MORALES  
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SAN JUAN, PR 00902-3884

MONSITA LECAROS ARRIBAS  
OFFICE OF THE US TRUSTEE (UST)  
OCHOA BUILDING  
500 TANCA STREET SUITE 301  
SAN JUAN, PR 00901

ROBERTO FIGUEROA CARRASQUILLO  
PO BOX 186  
CAGUAS, PR 00726-0186

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

ORIENTAL BANK  
ENRIQUE NASSAR RIZEK & ASSOCIATES  
PO BOX 191017  
SAN JUAN, PR 00919

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)ASUME-ANNIELISAURY FERNANDEZ BERRIOS PO B	End of Label Matrix	
	Mailable recipients	30
	Bypassed recipients	1
	Total	31